

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;  
ORACLE AMERICA, INC., A Delaware  
corporation; and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;  
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**AMENDED STIPULATION RE  
COPYRIGHT REGISTRATIONS AND  
COPIES**

**AND ORDER THEREON**

Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corp.  
(collectively, “Oracle” or “Plaintiffs”) and Defendants Rimini Street, Inc. (“Rimini Street”) and  
Seth Ravin (“Ravin”) (together, “Rimini” or “Defendants”; together with Oracle, the “Parties”) jointly  
STIPULATE, through their respective counsel of record, as follows:

**I. DEFINITIONS**

1. The term “Environment” shall refer to an installed copy of Oracle Enterprise Software.

2. The term “Installation Media” shall refer to any CD, DVD, download, electronic file, or similar item that can be or has been used to install Oracle Enterprise Software or Oracle Database Software.

3. The term “Oracle Database Software” shall refer to Oracle’s Oracle-branded relational database management software (RDBMS).

4. The term “Oracle Enterprise Software” shall refer to Oracle’s J.D. Edwards-branded, PeopleSoft-branded, and Siebel-branded enterprise software.

5. The term “Complete Installations of Environments” includes at least the Environments identified as items 1-280, 282-285, 287-322, 324-333, 335-336, 338-468 in

Second Amended Exhibit B to Oracle's Second Amended Request for Admissions Nos. 239-240, but does not include individual fixes or updates.

6. The term "Complete Installations of Oracle Database Software" includes at least the installations of Oracle Database Software identified in Rimini's Response to Oracle's Interrogatory No. 17.

## II. ORACLE'S COPYRIGHT REGISTRATIONS

7. For the purposes of this action, Defendants will not dispute that the copyright registrations for each of the 100 registered works listed in **Exhibit A** are valid.

8. For the purposes of this action, Defendants will not dispute that Plaintiff Oracle International Corporation became the owner or exclusive licensee of the 100 registered works listed in **Exhibit A** as follows:

Work (by item number)	OIC became owner or exclusive licensee
95	March 1, 2002
1-7, 13-19, 22-29, 33-34, 36-40, 43-46, 49-60, 62-63, 66-70, 75, 77-78	March 1, 2005
87-90	March 1, 2006
8-12, 20-21, 30-32, 35, 41-42, 47-48, 61, 64-65, 71-74, 76, 79-86, 91-94, 96-100	at creation of work

## III. COPIES

9. Oracle grants licenses to Oracle Enterprise Software and Oracle Database Software.

10. Rimini Street does not own any copies of Oracle Enterprise Software or Oracle Database Software.

## IV. WITHDRAWAL OF AFFIRMATIVE DEFENSES

11. Rimini Street agrees to withdraw its First Affirmative Defense, which is directed to the alleged invalidity of Oracle's copyrights for failure to comply with the statutory requirements for copyrightable subject matter.

1           12.     Ravin agrees to withdraw his First Affirmative Defense, which is directed to the  
2     alleged invalidity of Oracle's copyrights for failure to comply with the statutory requirements for  
3     copyrightable subject matter.

4           13.     Rimini Street agrees to withdraw its Eleventh Affirmative Defense, which is  
5     directed to copying protected by the provisions of 17 U.S.C. § 117.

6           14.     Ravin agrees to withdraw his Eleventh Affirmative Defense, which is directed to  
7     copying protected by the provisions of 17 U.S.C. § 117.

8           15.     Oracle will not seek fees or costs in connection with Defendants' First or  
9     Eleventh Affirmative Defenses withdrawn by this stipulation.

10          16.     Rimini Street does not assert its Seventh Affirmative Defense, which is directed  
11     to the doctrines of merger and scènes-à-faire, to copies of Installation Media, Complete  
12     Installations of Environments or Complete Installations of Oracle Database Software.

13          17.     Ravin does not assert his Seventh Affirmative Defense, which is directed to the  
14     doctrines of merger and scènes-à-faire, to copies of Installation Media, Complete Installations of  
15     Environments or Complete Installations of Oracle Database Software.

16          18.     Rimini Street does not assert its Tenth Affirmative Defense, which is directed to  
17     copying protected by the doctrine of fair use under the provisions of 17 U.S.C. § 107, as to  
18     copies of Installation Media, Complete Installations of Environments or Complete Installations  
19     of Oracle Database Software.

20          19.     Ravin does not assert his Tenth Affirmative Defense, which is directed to copying  
21     protected by the doctrine of fair use under the provisions of 17 U.S.C. § 107, as to copies of  
22     Installation Media, Complete Installations of Environments or Complete Installations of Oracle  
23     Database Software.

24          20.     Oracle will not seek fees or costs in connection with Defendants' Seventh and  
25     Tenth Affirmative Defenses as to copies of Installation Media, Complete Installations of  
26     Environments or Complete Installations of Oracle Database Software.

1 Dated: September 10, 2012

3 BINGHAM McCUTCHEN LLP

4 By: /s/ Geoffrey M. Howard  
5 Geoffrey M. Howard (*pro hac vice*)  
6 Three Embarcadero Center  
7 San Francisco, CA 94111-4067  
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*Attorneys for Defendants*

11 ORDER

13 IT IS SO ORDERED.

14 DATED this 11th day of September, 2012.



\_\_\_\_\_  
LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE

**ATTESTATION OF FILER**

The signatories to this document are myself and Robert Reckers and I have obtained Mr. Reckers's concurrence to file this document on his behalf.

Dated: September 10, 2012

BINGHAM McCUTCHEN LLP

By: /s/ Geoffrey M. Howard  
Geoffrey M. Howard (*pro hac vice*)  
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*Attorneys for Plaintiffs*

**EXHIBIT A**

#	Title of Work	Date of Registration	Registration Number
1.	PeopleTools 7.5	November 20, 1998	TX 4-792-578
2.	PeopleTools 8.10	September 5, 2000	TX 5-266-221
3.	PeopleTools 8.4	August 5, 2002	TX 5-586-248
4.	PeopleTools 8.42	March 8, 2010	TX 7-092-406
5.	PeopleTools 8.43	March 8, 2010	TX 7-092-603
6.	PeopleTools 8.44	March 8, 2010	TX 7-092-583
7.	PeopleTools 8.45	March 8, 2010	TX 7-092-617
8.	PeopleTools 8.46	March 8, 2010	TX 7-092-772
9.	PeopleTools 8.47	March 8, 2010	TX 7-092-797
10.	PeopleTools 8.48	March 8, 2010	TX 7-092-819
11.	PeopleTools 8.49	March 8, 2010	TX 7-092-855
12.	PeopleTools 8.50	March 8, 2010	TX 7-092-757
13.	PeopleSoft HRMS 7.0	December 15, 1998	TX 4-792-577
14.	PeopleSoft HRMS 7.5	December 15, 1998	TX 4-792-575
15.	PeopleSoft 8 HRMS SP1	March 26, 2001	TX 5-501-312
16.	PeopleSoft 8.3 HRMS	February 1, 2002	TX 5-469-032
17.	PeopleSoft 8.8 HRMS	June 11, 2004	TX 6-093-947
18.	PeopleSoft HRMS 8.8 SP1	February 10, 2010	TX 7-065-376
19.	PeopleSoft HRMS 8.9	February 10, 2010	TX 7-065-381
20.	PeopleSoft HRMS 9.0	February 10, 2010	TX 7-065-386
21.	PeopleSoft HRMS 9.1	February 10, 2010	TX 7-065-398
22.	PeopleSoft 7.0 financials, distribution & manufacturing 7.0	December 15, 1998	TX 4-792-576
23.	PeopleSoft Financials, Distribution & Manufacturing 7.5	December 15, 1998	TX 4-792-574
24.	PeopleSoft Financials and Supply Chain Management (FIN/SCM) 8.0	November 20, 2000	TX 5-291-439
25.	PeopleSoft 8 FIN/SCM SP1	March 26, 2001	TX 5-501-313
26.	PeopleSoft 8 Financials and Supply Chain Management: Service Pack 2	September 27, 2001	TX 5-456-780
27.	PeopleSoft 8.4 Financials and Supply Chain Management	August 5, 2002	TX 5-586-247
28.	PeopleSoft Financials and Supply Chain Management 8.8	February 10, 2010	TX 7-063-688
29.	PeopleSoft Financials and Supply Chain Management 8.8 SP1	February 11, 2010	TX 7-065-319
30.	PeopleSoft Financials and Supply Chain Management 8.9	February 11, 2010	TX 7-065-332
31.	PeopleSoft Financials and Supply Chain Management 9.0	February 11, 2010	TX 7-065-354
32.	PeopleSoft Financials and Supply Chain Management 9.1	February 11, 2010	TX 7-065-357
33.	PeopleSoft Student Administration Solutions 8.0 SP1	February 24, 2010	TX 7-077-447
34.	PeopleSoft Campus Solutions 8.9	February 24, 2010	TX 7-077-451
35.	PeopleSoft Campus Solutions 9.0	February 24, 2010	TX 7-077-460
36.	PeopleSoft 8 Customer Relationship Management	September 27, 2001	TX 5-456-777
37.	PeopleSoft 8.1 Customer Relationship Management	March 20, 2002	TX 5-493-450
38.	PeopleSoft 8.8 Customer Relationship Management	June 11, 2004	TX 6-015-317

39.	PeopleSoft Customer Relationship Management 8.8 SP1	February 10, 2010	TX 7-063-664
40.	PeopleSoft Customer Relationship Management 8.9	February 10, 2010	TX 7-063-668
41.	PeopleSoft Customer Relationship Management 9.0	February 10, 2010	TX 7-065-371
42.	PeopleSoft Customer Relationship Management 9.1	February 10, 2010	TX 7-063-653
43.	PeopleSoft 8 EPM SP3	March 30, 2001	TX 5-345-698
44.	PeopleSoft 8.3 Enterprise Performance Management	March 11, 2002	TX 5-485-839
45.	PeopleSoft 8.8 Enterprise Performance Management	June 11, 2004	TX 5-993-616
46.	PeopleSoft Enterprise Performance Management 8.8 SP2	February 10, 2010	TX 7-063-683
47.	PeopleSoft Enterprise Performance Management 8.9	February 10, 2010	TX 7-063-672
48.	PeopleSoft Enterprise Performance Management 9.0	February 10, 2010	TX 7-063-679

Table A-1: Registrations for PeopleSoft Applications

#	Title of Work	Date of Registration	Registration Number
49.	PeopleTools 8.4 PeopleBooks	August 5, 2002	TX 5-586-249
50.	PeopleSoft 8 HRMS PeopleBooks	November 28, 2000	TX 5-311-638
51.	PeopleSoft 8.3 HRMS PeopleBooks	February 1, 2002	TX 5-469-031
52.	PeopleSoft 8 Financials and Supply Chain Management PeopleBooks	November 28, 2000	TX 5-311-637
53.	PeopleSoft 8 FIN/SCM SPI PeopleBooks	October 19, 2001	TX 5-595-355
54.	PeopleSoft 8 Promotions Management, Collaborative Supply Management, eRFQ, Supplier Connection, and Supply Chain Portal Pack PeopleBooks	September 27, 2001	TX 5-456-781
55.	PeopleSoft 8.4 Financials and Supply Chain Management PeopleBooks	August 5, 2002	TX 5-586-246
56.	PeopleSoft 8 Student Administration Solutions PeopleBooks	November 30, 2001	TX 5-431-290
57.	PeopleSoft 8 Customer Relationship Management PeopleBooks	September 27, 2001	TX 5-456-778
58.	PeopleSoft 8.1 Customer Relationship Management PeopleBooks	March 20, 2002	TX 5-733-209
59.	PeopleSoft 8.4 Customer Relationship Management PeopleBooks	August 7, 2002	TX 5-586-236
60.	PeopleSoft 8.3 Enterprise Performance Management PeopleBooks	March 11, 2002	TX 5-485-842
61.	Database of Documentary Customer Support Materials for PeopleSoft Software	July 1, 2009	Txu1-607-454

Table A-2: Registrations for PeopleSoft PeopleBooks, Updates and Support Materials

#	Title of Work	Date of Registration	Registration Number
62.	Initial release of JDE World A7.3	April 26, 2007	TX 6-541-029

63.	Initial release of JDE World A8.1	April 26, 2007	TX 6-541-047
64.	Initial release of JDE World A9.1	April 26, 2007	TX 6-541-030
65.	Initial release of JDE World A9.2	January 15, 2010	TX 7-041-290
66.	Initial release of JDE EnterpriseOne XE	April 26, 2007	TX 6-541-033
67.	Initial release of JDE EnterpriseOne 8.0	April 26, 2007	TX 6-541-050
68.	Initial release of JDE EnterpriseOne 8.9	April 26, 2007	TX 6-541-049
69.	Initial release of JDE EnterpriseOne 8.10	April 26, 2007	TX 6-541-038
70.	Initial release of JDE EnterpriseOne 8.11	April 26, 2007	TX 6-541-028
71.	Initial release of JDE EnterpriseOne 8.11 SP1	April 26, 2007	TX 6-541-040
72.	Initial release of JDE EnterpriseOne 8.12	April 26, 2007	TX 6-541-041
73.	Initial release of JDE EnterpriseOne 9.0	January 15, 2010	TX 7-041-256

Table A-3: Registrations for JD Edwards Applications

#	Title of Work	Date of Registration	Registration Number
74.	Cumulative Update 16 for JDE World A7.3	April 26, 2007	TX 6-541-031
75.	Cumulative Update 6 for JDE World A8.1	May 1, 2007	TX 6-545-421
76.	Code Change for JDE World A8.1	April 26, 2007	TX 6-541-044
77.	Cumulative Update 8 for JDE EnterpriseOne Xe	April 26, 2007	TX 6-541-048
78.	Cumulative Update 1 for JDE EnterpriseOne 8.0	April 26, 2007	TX 6-541-034
79.	Cumulative Update 2 for JDE EnterpriseOne 8.10	April 26, 2007	TX 6-541-032
80.	Cumulative Update 1 for JDE EnterpriseOne 8.11 SP1	April 26, 2007	TX 6-541-039
81.	ESU for JDE EnterpriseOne 8.11 SP1	April 26, 2007	TX 6-541-027
82.	Cumulative Update 1 for JDE EnterpriseOne 8.12	April 26, 2007	TX 6-541-042
83.	Cumulative Update 3 for JDE EnterpriseOne 8.12	January 15, 2010	TX 7-041-278
84.	ESU for JDE EnterpriseOne 8.12	April 26, 2007	TX 6-541-045
85.	Cumulative Update 1 for JDE EnterpriseOne 9.0	January 15, 2010	TX 7-041-267
86.	Database of Documentary Customer Support Materials for J.D. Edwards Software	July 1, 2009	TXu1-607-455

Table A-4: Registrations for JD Edwards Cumulative Updates, Updates and Support Materials

#	Title of Work	Date of Registration	Registration Number
87.	Siebel 6.3 Initial Release and Documentation	June 29, 2009	TX 6-941-989
88.	Siebel 7.0.5 Initial Release and Documentation	June 29, 2009	TX 6-941-988
89.	Siebel 7.5.2 Initial Release and Documentation	June 29, 2009	TX 6-941-990
90.	Siebel 7.7.1 Initial Release and Documentation	June 29, 2009	TX 6-941-993
91.	Siebel 7.8 Initial Release and Documentation	June 29, 2009	TX 6-941-995
92.	Siebel 8.0 Initial Release and Documentation	June 29, 2009	TX 6-942-000
93.	Siebel 8.1.1 Initial Release and Documentation	June 29, 2009	TX 6-942-001

Table A-5: Registrations for Siebel Applications



#	Title of Work	Date of Registration	Registration Number
94.	Database of Documentary Customer Support Materials for Siebel Software	July 1, 2009	Txu1-607-453

Table A-6: Registrations for Siebel Updates and Support Materials

#	Title of Work	Date of Registration	Registration Number
95.	Oracle 8i Enterprise Edition, release 2 (8.1.6)	February 2, 2001	TX 5-222-106
96.	Oracle 9i Database Enterprise: Edition Release 2	June 13, 2003	TX 5-673-282
97.	Oracle Database 10g: Release 1	January 16, 2009	TX 6-938-648
98.	Oracle Database 10g: Release 2	June 29, 2009	TX 6-942-003
99.	Oracle Database 11g Release 1	March 24, 2011	TX 7-324-157
100.	Oracle Database 11g Release 2	March 24, 2011	TX 7-324-158

Table A-7: Registrations for Oracle Database